

MAY 12, 2004 5:35PM

(3) FISH & RICHARDSON 6175428906

NO. 9355 P. 1/7

Attorney's Docket No.: 15578-010001

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MAY 17 2004

Number of pages including this page

7

Applicant : Orbannes et al.

Art Unit : 2174

Serial No. : 09/782,939

Examiner : Tran, Mylinh T

Filed : February 14, 2001

Title : **FACSIMILE COMMUNICATION**
METHOD AND VIEWING INFORMATION IN VIRTUAL SPACE

Attention: Group Director

Commissioner for Patents

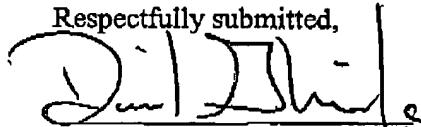
P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is Request for Permission to Withdraw as Attorney of Record, faxed this 12 day of May, 2004, to the United States Patent and Trademark Office.

Respectfully submitted,



David Miranda
Reg. No. 42,898

Date: May 12, 2004

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Fax: (617) 542-8906

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MAY. 12. 2004 5:35PM

(3) FISH & RICHARDSON 6175428906

NO. 9355 P. 2/7

Attorney's Docket No.: 15578-010001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Orbanes et al.

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REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEY OF RECORD

With authorization, the undersigned attorney, on behalf of himself and the other attorneys of record, who are members or associates in the firm of FISH & RICHARDSON P.C., or who were so listed at the time of their appointment, and on behalf of any associate attorneys appointed by any of the attorneys on whose behalf this petition is filed, including the following:

Frank R. Occhiuti, Reg. No. 35,306; David Miranda, Reg. No. 42,898; J. Robin Rohlicek, Reg. No. 43,349 and John F. Hayden, Reg. No. 37,640, requests the approval of the Commissioner to withdraw as attorney(s)/agent(s) of record.

The present mailing address of the attorney(s)/agent(s) of record is:

Fish & Richardson P.C. (Boston)
225 Franklin Street
Boston, MA 02110-2804

Please mail all future correspondence to the applicant as follows:

GeoPhoenix, Inc.
52 Trowbridge Street, # 5
Cambridge, MA 02139

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

May 12, 2004

Date of Transmission

Signature

Jamie Crystal

Jamie Crystal

Typed or Printed Name of Person Signing Certificate

Applicant :Orbanes et al.
Serial No. :09/782,939
Filed :February 14, 2001
Page : 2

Attorney's Docket No.: 15578-010001

The reasons for which the permission of the Commissioner is sought for withdrawal of the attorney(s)/agent(s) of record is the following:

a) For some time now, we have been unable to obtain clear directions from GeoPhoenix, Inc. (the "Client") regarding our representation of their patent matters. The Firm understands that there may be a control battle or other dispute between principals of the company. Additionally, the Firm has been unable to obtain clear directions from who we believe is the general corporate counsel for the Client. In addition to the lack of clear instructions, the Firm has received conflicting instructions regarding whether the principals have the right to speak for the Client.

b) In addition to the lack of clear directions, the Client has failed to pay the Firm legal fees the Client has incurred in the course of the Firm's representation of the Client. Those fees are well overdue, as has been made clear in previous communications which gave the Client multiple opportunities to cure its failure to pay for legal services rendered. The additional work the Firm will do on the Representation before it terminates the attorney client relationship with the Client, will increase that amount due even further.

Notice of the attorney's request to withdraw is being sent simultaneously to the applicant and the relevant papers and files will immediately be sent the applicant upon approval of the request by the Commissioner.

At least thirty days remain for the applicant to take any action due in this case or an appropriate request for extension of time accompanies this request seeking additional time. The attorney(s)/agent(s) on whose behalf this petition is filed will ensure that the applicant has sufficient time after approval of this request to reply or employ another to reply to any outstanding requirement of the Patent and Trademark Office.

Two copies of this request are filed herewith. The Commissioner is authorized to apply any charges or credits to Deposit Account No. 06-1050.

MAY. 12. 2004 5:36PM (3) FISH & RICHARDSON 6175428906

NO. 9355 P. 4/7

Applicant :Orbanes et al.
Serial No. :09/782,939
Filed :February 14, 2001
Page : 3

Attorney's Docket No.: 15578-010001

Respectfully submitted,

Date: 5/12/04



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